

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>V.</b>	)	<b>8:05CR251</b>
	)	
<b>MANUEL CUBILLOS,</b>	)	<b>ORDER</b>
	)	
<b>Defendant.</b>	)	
	)	

This matter is before the court on defendant's MOTION TO CONTINUE TRIAL (#55). For good cause shown, I find that a continuance to January 10, 2006 should be granted.

**IT IS ORDERED** that the motion to continue trial (#55) is granted, as follows:

1. Trial of this matter is continued from December 6, 2005 to **January 10, 2006** before Judge Laurie Smith Camp and a jury.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between December 6, 2005 and January 10, 2006, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
3. Defendant shall file an updated waiver of speedy trial in accordance with NECrimR 12.1 as soon as is practicable.

**DATED December 7, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**